BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UCEL ENTERPRISES, INC. Petitioner,

CONSOLIDATED

GRIZZLY INDUSTRIAL, INC.

Respondent/Registrant

NOV 2 1 2005

Opposition No. 123,506 Cancellation No. 31,984 Mark: GRIZZLY.COM

Cancellation No. 32,024

Mark: GRIZZLY Mark: GRIZZLY

Cancellation No. 32,025

Mark: GRIZZLY INDUSTRIAL

AGREED MOTION TO EXTEND DISCOVERY AND TESTIMONY PERIODS

The parties hereby request that the discovery and testimony periods be extended one (1) month, and be reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE:

December 18, 2005

Testimony period for party in position of April 2, 2006 plaintiff to close (opening thirty days prior thereto)

Testimony period for party in position of June 15, 2006 defendant to close (opening thirty days prior thereto)

Rebuttal testimony period to close (opening July 30, 2006 fifteen days prior thereto)

The grounds for this motion are as follows:

The parties are in the final stages of exchanging discovery materials and respondent's expert's report, which is likely to result in a deposition by petitioner. The additional month is needed to allow time to complete these matters.

Petitioner's attorney, Ken Mitchell, requested this extension in a telephone conference with the undersigned on November 17, 2005.

11-21-2005 U.S. Patent & TMOfc/TM Mail Rcpt Dt. #64 For the foregoing reasons, this motion should be granted.

Date: November 17, 2005

<u>CERTIFICATE OF MAILING</u>
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid in an envelope addressed to: Box TTAB – NO FEE, Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on November 17, 2005.

Arlétte Porter

By: Joseph/F. Schmidt Lisa C. Childs Gretchen M. Hosty MICHAEL BEST & FRIEDRICH LLP 401 North Michigan Avenue, Suite 1900 Chicago, IL 60611 (312) 661-2100 (312) 222-0818 (fax)

Attorneys for Respondent/Registrant Grizzly Industrial, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing AGREED MOTION

TO EXTEND DISCOVERY AND TESTIMONY PERIODS was served on

Petitioner/Opposer at the following address:

Kenneth L. Mitchell Woodling, Krost and Rust Kirtland Office Complex 9213 Chillicothe Road Kirtland, Ohio 44094 866-241-4043

via facsimile and first class mail, postage prepaid, November 17, 2005.

Attorney for Respondent/Registrant

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